

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**FIRST CHRISTIAN CHURCH OF
PLANO
PLAINTIFF**

V.

**CIVIL ACTION NO. 4:17-CV-00728-
ALM-KPJ**

**THE HANOVER INSURANCE GROUP
DEFENDANT**

[JURY DEMANDED]

PARTIES' AGREED MOTION TO SUBSTITUTE PROPER PARTY DEFENDANT

COMES NOW, Plaintiff, First Christian Church of Plano, by and through undersigned counsel, and hereby moves this Court to dismiss The Hanover Insurance Group and substitute The Hanover Insurance Company as the proper party Defendant, and in support thereof would show as follows:

I.

1. The Hanover Insurance Company issued the insurance policy at issue in this lawsuit, Policy No. ZHD-7132402-06, to Plaintiff, while The Hanover Insurance Group, Inc. is merely a holding company for The Hanover Insurance Company and others.

2. Therefore, The Hanover Insurance Group, Inc. should be dismissed, and The Hanover Insurance Company should be substituted in its place.

3. The Hanover Insurance Company, is domiciled in New Hampshire and Massachusetts because it is a corporation, formed under the laws of the State of New Hampshire, and has its principal place of business in the Commonwealth of Massachusetts. Plaintiff, First Christian Church of Plano, is a citizen of Texas because it is a domestic non-profit corporation incorporated under the laws of Texas and with its principal place of business in Plano, Collin

County, Texas. Therefore, there is still complete diversity between the parties and jurisdiction remains pursuant to 28 U.S.C. § 1332.

4. Undersigned counsel for Defendant has conferred with the Plaintiff's counsel and is in agreement to the relief requested herein.

5. Plaintiff's counsel has also agreed and The Hanover Insurance Company requests this Court find that Plaintiff's Petition shall be deemed to have asserted all claims against The Hanover Insurance Company. Plaintiff's counsel has further agreed and The Hanover Insurance Company requests that this Court find that all pleadings filed by counsel for Defendant shall be deemed filed on behalf of The Hanover Insurance Company.

WHEREFORE, The Hanover Insurance Company requests that its Unopposed Motion to Substitute Party Defendant be Granted and that this Court enter an Order dismissing The Hanover Insurance Group, Inc. and substituting The Hanover Insurance Company in its place as the proper party Defendant in this action, including the designation in the style of the case. The Hanover Insurance Company also requests that this Court order that Plaintiff's Complaint shall be deemed to have asserted all claims against The Hanover Insurance Company and that all pleadings filed by counsel for Defendant shall be deemed filed on behalf of The Hanover Insurance Company.

Respectfully submitted,

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